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**RESOLUTIONS OF THE BAR OF BEDFORD CITY, IN MEMORY OF
JUDGE E. C. BURKS.**

At a meeting of the members of the Bedford Bar held at the office of Campbell & Tucker on Monday, July 5, 1897, Hon. John Goode was elected chairman and the following were appointed a committee to prepare a memorial and draft resolutions to the memory of Judge E. C. Burks: Messrs. Graham Claytor, H. C. Lowry, W. W. Berry, L. A. Sale and J. R. Tucker. On motion, Mr. Goode was made a member and also chairman of the committee. The meeting then adjourned until Tuesday morning at 10 o'clock, at which time the members of the Bar and a number of citizens assembled in the Courthouse, and the committee reported as follows:

The members of the Bedford City Bar have received with profound sensibility and unaffected sorrow the announcement of the death of Hon. Edward C. Burks, LL. D., our distinguished fellow-citizen and beloved associate, who died at his residence in this city on the evening of the 4th instant, "full of years and full of honors." He had suffered for many months from a painful and protracted illness, which he bore with Christian fortitude and resignation, but although his death was not unexpected, it has come to us, his surviving associates, as a great personal bereavement, and we feel that our loss is indeed irreparable.

He was born in this county on the 20th day of May, 1821, and has resided here ever since. In early life he attended the New London Academy as a student, and after receiving instruction in the classics for several sessions at that celebrated institution, he entered Washington College (now Washington and Lee University), where he graduated in June, 1841, with the highest honors of his class. In 1842 he graduated with distinction in the Law Department of the University of Virginia. Having located in this, his native county, he entered at once upon the active practice of his profession, and very soon achieved an honorable distinction by his conspicuous ability, his extensive learning, his lofty integrity and his untiring industry.

As a practitioner of law his pleadings were always drawn with wonderful precision, and his arguments addressed to the court and jury were characterized by extraordinary clearness and cogency. While ever faithful to his clients, he never failed to remember that he was a minister of justice, and as such it was his duty to assist the court in the performance of its delicate and difficult task. He had a high standard of professional honor, and would never stoop to win a victory for his client by the sacrifice of truth, or by the enunciation of any proposition of law or of fact that he did not conscientiously believe to be entirely sound and correct.

The study of law as a science always engaged the highest energies of his nature, and he delighted to drink at its purest fountains. He had no ambition at any time to fill political office, but he was a sincere patriot, devotedly attached to his

county and State. Accordingly, when the people of Bedford, without distinction of party, called upon him during the stormy period of the civil war to serve them in the legislature he responded without hesitation, and represented them with marked ability and consummate wisdom during the sessions of 1861, 1862 and 1863.

In December, 1876, he was elected by the General Assembly to the Supreme Court of Appeals, and it is no disparagement of the illustrious men who have dignified and adorned that exalted station to say that he was second to none in native ability, in profound learning, in spotless purity of character and unfaltering fidelity to the great trust reposed in him. His opinions, which may be found in the Virginia Law Reports published during the time of his service on the bench, are universally regarded as models of judicial style. In accuracy of statement and profound learning they have not been surpassed, and they will stand as a monument to his fame which will be more enduring than marble.

In 1884 he was chosen by the legislature as one of the revisors of the Code of 1887, and in conjunction with his able associates, Judge Staples and Major Riely, now of the Supreme Court, he executed that important work in a manner eminently satisfactory to the General Assembly and the legal profession.

In the summer of 1891, as President of the Virginia State Bar Association, he delivered an address which exhibited such unusual ability and power of analysis that the association ordered one thousand copies to be published, and it was accepted by the profession as supplying in a large degree the want of a report by the revisors of the Code.

In May, 1895, he became editor-in-chief of the VIRGINIA LAW REGISTER, which has taken rank as one of the most valuable law journals now published in this country. This was the child of his old age, and in devoting to it the best efforts of his declining years, so full of wisdom and learning, he has performed a service to the courts and to his professional brethren the value of which cannot be over-estimated. His fame as an able, learned, upright, incorruptible jurist is co-extensive with the limits of the Commonwealth. When Virginia comes to make up her jewels his name shall not be forgotten. It was our privilege to know him in the inner sanctuary of home, as husband, father, neighbor, friend, and to know him in all the relations of life was to love him.

Never can we forget his uniform courtesy and kindness or the friendly interest he always manifested in our advancement. Perhaps it is no exaggeration to say that no member of the bar in Virginia was so frequently called upon by professional brethren for assistance and advice, and certainly none ever responded to such calls with more cordiality. It always afforded him genuine pleasure to draw upon the vast storehouse of his knowledge and learning for the benefit of others. But our revered and honored friend, having acted well his part in life, has gone from among us and has entered into rest. We confidently believe that his pure spirit is now happy in the realms of the blessed. While we hold him in grateful and affectionate remembrance, let us resolve that we will imitate his noble example and emulate his shining virtues.

Resolved, That the foregoing is but an imperfect tribute of our respect, admiration, affection and reverence for the great ability, profound learning, lofty integrity and Christian virtues of our departed associate and friend.

Resolved, That the secretary of this meeting be requested to forward a copy of these proceedings to the family of our deceased brother, with the respectful assurance of our sincere and heartfelt sympathy with them in their sad bereavement.

Resolved, That S. Griffin, Graham Claytor and Henry C. Lowry be appointed to communicate these proceedings to the Supreme Court of Appeals of Virginia, and to the Circuit and County Courts of Bedford, with the request that they be entered on the records of the said courts, and that copies thereof be furnished for publication to the VIRGINIA LAW REGISTER and the county papers.

Resolved, That we will attend the funeral in a body this afternoon at 5 o'clock.

Upon moving the adoption of the resolutions, Graham Claytor, Esq., paid a tribute in the following eloquent terms:

Mr. Chairman, Members and Officers of the Bedford Bar:

In moving the adoption of these resolutions, I beg to add my humble tribute to the memory of this distinguished man, citizen, lawyer and judge.

The simplest record of his life, so full of years and of honors, is his best eulogy.

As a lawyer practising at the bar of his native county; as a representative in the halls of legislation; as a judge of the high court of last resort; as a revisor of the Code of Virginia; as editor-in-chief of the VIRGINIA LAW REGISTER, conceived and founded in his old age as a labor of love to the profession—in all these various spheres of life he measured up to the highest standard of excellence.

Enfeebled in health, he retired from active labors to his beautiful home in sight of the grand old Peaks of Otter he loved so well, and here the Great Destroyer found him at his post, still working and striving by precept and example to instruct and elevate the profession he so loved, and of which he was so honored and distinguished a member.

Not only the local bar at which he so long practised, but the bar throughout the State, mourn his death as an irreparable loss.

He was a most profound lawyer—a master of the science in the minutest details. To unravel a network of legal intricacies was to him no irksome task, but a positive delight. His mind was so evenly adjusted and so thoroughly trained in the law as to be keenly sensitive to its most delicate shades of meaning and its nicest distinctions, and he was well-nigh infallible in its application and construction. Indeed, it is not too much to say of him that his whole being was saturated with the law.

Although he inherited a feeble constitution and was a great sufferer from physical ailments during most of his life, yet by his large capacity, quick perception and indomitable energy, he was enabled to rise to the very pinnacle of his profession. No one who has examined critically the many able opinions delivered by him during his six years of service upon the Supreme bench can fail to note the accuracy, the thoroughness and extensive research that mark high legal attainments. These, far more than any word of mine, proclaim him a great lawyer and a great judge.

But this tribute would be incomplete without some mention of the invaluable aid he so willingly and so lovingly gave to his brethren of the bar who sought his counsel and advice. No lawyer, young or old, who went to him perplexed

with doubts or entangled in legal intricacies was ever turned away without having his intricacies unraveled and his doubts dispelled.

And then, too, his loyalty to party and devotion to his State was as firm and inflexible as it was unselfish, beautiful and true. "The key of politics which he first touched he kept to without a variation." He was bold and fearless in the defense of the honor of his dear old Virginia, who honored herself in honoring him. The demagogue and "timeserver" received at his hands nothing, save a stinging and scathing rebuke.

No truer epitaph can be written of him than this: "He was an honest man; a Christian gentleman; a kind husband, father, friend; a loyal citizen; a great lawyer, and an able, fearless and incorruptible judge." We

In the vast cathedral leave him,
God accept him,
Christ receive him.

JOHN M. SPEECE, }
R. D. BUFORD, } *Secretaries.*

JOHN GOODE, *Chairman.*

